

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re

**RICHARD T. SHEEHAN,**  
  
Debtor.

Case No. **20-20054-BPH**

**O R D E R**

At Butte in said District this 29<sup>th</sup> day of May, 2020.

Upon the Court's own motion,

IT IS ORDERED that the hearing(s) in this case scheduled for June 2, 2020, shall be held telephonically on **Tuesday, June 2, 2020, at 9:00 a.m.** To participate in the telephonic conference, the parties shall, on the aforementioned date and time, dial into the Court's telephonic conferencing system at 858-812-0972; the Numeric Access Code for the conference is 3000000# followed by 3100566#.

**Witnesses**

If witness testimony may be necessary, the Court will take witness testimony remotely. Such is permissible under Federal Rule of Civil Procedure 43(a) (made applicable by Federal Rule of Bankruptcy Procedure 9017) for good cause in compelling circumstances and with appropriate safeguards. Good cause exists and there are compelling circumstances.

For each witness, please docket at least 48 hours prior to the hearing:

- The name and title of the witness.
- The relevant motion(s)/objection.
- The location of the witness (city, state, country).
- The place from which the witness will be testifying (e.g., home, office – no addresses).

- Whether anyone will be in the room with the witness during his/her testimony, and if so, who (name/title/relationship to witness) and for what purpose.
- Whether the witness will have any documents with him/her, and if so, what documents.

Parties shall file and exchange witness lists and exhibits at least 72 hours prior to the telephonic hearing. Any party who may call a witness at the hearing is responsible for making sure that the witness(es) has a copy of all exhibits. Any party seeking to cross-examine any witness should circulate in advance a list of any exhibits with a reference to the applicable CM/ECF docket number. The party calling the witness will be responsible for ensuring that any exhibits are supplied to the witness ahead of the hearing.

### **Equipment and Setting**

- USE A LANDLINE unless that is not possible as it provides the optimal sound quality for both listening and speaking.
- DO NOT use the speaker phone feature as it distorts the sounds for all participants. MUTE YOUR LINE until you are speaking (see instructions below where your phone is not equipped with mute feature).
- Use of Headsets – Headsets can be very useful while attending a conference call. They allow for freedom of movement, help ergonomically, and may help a participant hear better. However, the qualities of these devices vary, so be aware of the possible sound/voice issues that may arise.
- Use of Mobile Phone Where Landline Is Not Available – Mobile phone use is possible, but not recommended. Mobile phone service drops and/or static may affect the conference. If you do call from a mobile phone, please avoid moving while speaking to avoid these issues.

### **Protocol for Joining the Telephonic Hearing**

- Call from a quiet setting. Background noise can often be heard, making hearing you and transcribing the proceedings difficult.
- Upon entry into the conference, understand there may be multiple hearings taking place so please immediately mute your phone and wait until your case is called to identify yourself.
- When your case is called, please state your name and affiliation.
- Attorneys should indicate if their client has joined the call and that the client understands the client is in “listen only” mode.

### **During the Telephonic Hearing**

- Identify yourself each time you speak.
- Speak clearly and pause frequently when delivering complicated material. Try to speak naturally.
- Don't interrupt. Interruptions delay the hearing and make transcribing difficult.
- When you hear the judge speaking, please stop talking so that the judge can ask a question or otherwise direct the hearing.
- Mute your phone to avoid extraneous sounds, such as shuffling of papers, music, coughing, talking, eating, etc. This may be distracting to others in your conference and make it difficult for some to hear the ongoing conversation. If you do not have a mute button on your phone, you or your participants can press a \*6 to mute their individual lines. If they wish to speak, they can press a \*6 to un-mute their lines to speak.

Please avoid placing the call on hold before, during, or after the hearing as any background music may interrupt other hearings.

BY THE COURT:



Hon. Benjamin P. Hursh  
United States Bankruptcy Court  
District of Montana